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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
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13 ELIZABETH SANFILIPPO, an
14 individual,

15 Plaintiff,

16 v.

17 TINDER, INC., a Delaware
18 corporation, and DOES 1 through
20, Inclusive,

19 Defendants.
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CASE NO. 2:18-cv-08372-AB-(JEMx)

[Assigned to Hon. André Birotte Jr.]

**[PROPOSED] ORDER SUSTAINING
DEFENDANT MATCH GROUP,
LLC'S EVIDENTIARY
OBJECTIONS TO DECLARATION
OF ELIZABETH SANFILIPPO IN
SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S
MOTION TO COMPEL**

Date: November 30, 2018

Time: 10:00 a.m.

Place: Crtrm. 7B

*[Removed from the Superior Court of the
State of California, County of Los
Angeles, Case No. BC718649]*

On November 16, 2018, Defendant Match Group, LLC (“Defendant”) filed its Evidentiary Objections to the Declaration of Elizabeth Sanfilippo in Support of Plaintiff Elizabeth Sanfilippo (“Plaintiff”)’s Opposition to Defendant’s Motion to Compel (“Defendant’s Evidentiary Objections”).

After having considered Defendant’s Evidentiary Objections and any response and reply thereto, together with the arguments of counsel, if any,

IT IS HEREBY ORDERED THAT:

1. Objections to Paragraph 3 of Plaintiff Elizabeth Sanfilippo’s Declaration (“Plaintiff’s Declaration”)

Match objects to the second, third and fourth sentences as conclusory and lacking in foundation. Match also objects to the third sentence as speculative and containing inadmissible hearsay.

SUSTAINED: _____ OVERRULED: _____

2. Objections to Paragraph 4 of Plaintiff’s Declaration

Match objects to the second and third sentences as conclusory. Match further objects to the second sentence as lacking in foundation.

SUSTAINED: _____ OVERRULED: _____

3. Objections to Paragraph 5 of Plaintiff’s Declaration

Match objects to this paragraph as conclusory, speculative and not properly limited in time.

SUSTAINED: _____ OVERRULED: _____

4. Objections to Paragraph 6 (misabeled Paragraph 4) of Plaintiff’s Declaration

Match objects to this paragraph as conclusory, lacking in foundation and speculative. Match objects to the first sentence because it does not meet the requirement of personal knowledge under Rule 56(c)(4). *See Columbia Pictures*, 944 F.2d at 1529. Accordingly, Plaintiff’s assertion that “As far as [she is] aware,

1 Steve Liu was never reprimanded for his harassment” is of no consequence and not
2 proper evidence. Match further objects to the second and third sentences as vague.

3 SUSTAINED: _____ OVERRULED: _____

4 **5. Objections to Paragraph 7 (misabeled Paragraph 5) of Plaintiff’s**
5 **Declaration and Exhibit B**

6 Match objects to Exhibit B as irrelevant, speculative, and lacking in
7 foundation. Match also objects to Plaintiff’s attempts to offer statements in
8 Exhibit B for the truth of the matters asserted, as Exhibit B contains inadmissible
9 hearsay.

10 SUSTAINED: _____ OVERRULED: _____

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12 Those portions of Plaintiff’s Declaration and corresponding Exhibit B as to
13 which objections are sustained are stricken, and will not be considered for any
14 purpose.

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16 IT IS SO ORDERED.

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19 Dated: _____
20 Hon. André Birotte Jr.
21 Judge, United States District Court
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